

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DLSH PROPERTIES, INC., an Assignee  
Of TRANOR INDUSTRIES, LLC

Plaintiff,

Case No.: 19- CB

Hon.

v.

SAMSUNG FIRE & MARINE INSURANCE  
CO., LTD, and HARTFORD FIRE INSURANCE  
COMPANY,

Defendant.

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**DEFENDANT'S NOTICE OF REMOVAL**

Defendant, Hartford Fire Insurance Company, ("Hartford") through its counsel and pursuant to 28 USC § 1332 and § 1441, hereby serves this Notice for Removal of the present action from the Wayne County Circuit Court, Michigan, to this Court. Hartford states in support of its Notice of Removal as follows:

1. On April 1, 2019, a civil action was commenced by Plaintiff DLSH Properties, Inc. ("DLSH") against Hartford in the Circuit Court for the County of Wayne, State of Michigan, bearing case No. 19-004714-CB (the "Action").

2. In the Action, DLSH seeks a judgment against Hartford for damages allegedly caused by Hartford's alleged refusal to pay amounts claimed to be owed DLSH under a policy of

insurance issued by Hartford. Specifically, DLSH claims that Hartford breached its insurance contract by declining to pay a claim for property damage to a building owned by DLSH in Detroit, Michigan. (**Exhibit 1:** Plaintiff's Complaint). DLSH's damage claims and the amount in controversy exceed \$75,000. (**Exhibit 2:** Email from Plaintiff's counsel to Hartford's counsel).

3. On April 4, 2019, Hartford received a copy of the Summons and Complaint filed by DLSH in the Action.

4. A copy of all process, pleadings and orders in the above-described action are attached to this Notice of Removal as **Exhibit 3**.

5. DLSH is a Michigan corporation with its place of business in Detroit, Michigan.

6. Hartford Fire is a Connecticut corporation with its principal place of business in Hartford, Connecticut.

7. Samsung Fire & Marine Insurance Company is a Korean corporation with its principal place of business in Seoul, Korea.

8. 28 U.S.C. § 1332(a) provides that district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs and is between citizens of different states.

9. 28 U.S.C. § 1332(c)(3) confers jurisdiction upon this court for lawsuits between citizens different states and in which citizens of foreign states are additional parties.

10. 28 U.S.C. § 1441(a) provides in relevant part that any action brought in a state court of which the District Court of the United States may have original jurisdiction, may be removed by the defendant to the District Court of the United States for the district and division embracing the place where such action is pending.

11. Complete diversity of citizenship exists between the parties and the amount in controversy between the parties is well in excess of \$75,000.

12. Accordingly, pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441(a), removal of this action to this Court is statutorily authorized and appropriate.

13. Consistent with 28 U.S.C. § 1446(d), Defendant has given written notice of the filing of this Notice of Removal to Plaintiff and Co-Defendant Samsung Fire & Marine Insurance Co., Ltd. and has filed a copy of this Notice of Removal with the Clerk of the Circuit for the County of Wayne.

WHEREFORE, Defendant respectfully request removal of this case to the United States District Court for the Eastern District of Michigan, Southern Division.

Respectfully submitted,

Dated: April 26, 2019

HARVEY KRUSE, P.C.  
Attorneys for Defendant Hartford

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